

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

QUASAR ALEXANDER,)	
)	
Plaintiff,)	
)	CIVIL ACTION FILE NO.:
v.)	
)	
MEMBERSELECT INSURANCE,)	
COMPANY,)	
)	
Defendants.)	

PETITION FOR REMOVAL

TO: The Judges of the United States District Court, Northern District of Georgia

Defendant MemberSelect Insurance Company, show the Court as follows:

1.

A civil action has been brought against the Defendant in the Superior Court of Gwinnett County, State of Georgia, by the Plaintiff Quasar Alexander, said action being designated as Civil Action No. 22-A-10758-5 in which Plaintiff seeks recovery against the Defendant a sum in excess of \$75,000.00 exclusive of interest and costs.

2.

The Plaintiff is now, at the time of the commencement of this action, and at all times since a resident citizen of Fulton County in the State of Georgia.

3.

Defendant MemberSelect Insurance Company, now and at the time of the commencement of this lawsuit, and all times since, is a foreign insurance company doing business in the State of Georgia with its principle place of business in the State of Michigan, having its principal place of business in Dearborn, Michigan.

4.

Defendant MemberSelect Insurance Company attaches a copy of the Complaint, marked Exhibit “A”, a copy of Defendant’s Answer and Jury Demand, marked Exhibit “B”, all filed in the Superior Court of Gwinnett County, Georgia.

5.

In his *Complaint* (Exhibit “D”), Plaintiff made a formal demanded for alleged damages against MemberSelect Insurance Company as follows:

- (a) the sum of \$259,898.66; and
- (b) A claim for breach of contract and bad faith, including attorney’s fees and a penalty of fifty percent (50%) of the less amount pursuant to O.C.G.A. § 33-4-6’;
- (c) and all compensation allowed by law.

6.

Now within thirty (30) days after service of the Summons and Complaint, Defendant MemberSelect Insurance Company has filed this Petition for Removal of said action from the Superior Court of Gwinnett County to this Honorable Court.

7.

As between the Plaintiff and Defendant MemberSelect Insurance Company there exists complete diversity of citizenship under 28 U.S.C. § 1332(a).

8.

Pursuant to 28 U.S.C. § 1441, et seq., and 28 U.S.C. § 1367, this action is now removable by reason of diversity of citizenship, there being more than \$75,000.00 in controversy, exclusive of interest and costs.

WHEREFORE, Defendant MemberSelect Insurance Company files this Petition for Removal of said cause to this Honorable Court

Respectfully submitted,

This 19th day of January, 2023.

FAIN, MAJOR & BRENNAN, P.C.

/s/ James F. Taylor, III

JAMES F. TAYLOR, III

Georgia Bar No. 700230

Counsel for Defendant

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CERTIFICATE OF SERVICE

This is to certify that I have this date served upon counsel for the opposing parties in the foregoing matter a copy of the foregoing **Notice of Removal** by placing same in the United States Mail, postage prepaid, addressed as follows:

J. Remington Huggins, Esq.
Michael D. Turner, Esq.
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This 19th day of January, 2023.

FAIN, MAJOR & BRENNAN, P.C.

/s/ James F. Taylor, III

JAMES F. TAYLOR, III

Georgia Bar No. 700230

Counsel for Defendant

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